

A34106 - 066031.0148
PATENT

3739
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

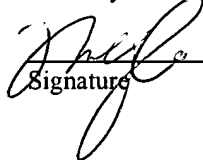
Applicants : Sonnenschein et al. Customer No. : 21003
Serial No. : 09/809,291 Examiner : Not Yet Assigned
Filed : March 15, 2001 Group Art Unit : 3739
For : FUNDOPLICATION APPARATUS AND METHOD

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

I hereby certify that this paper is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

October 26, 2004
Date of Deposit

Walter M. Egbert
Attorney Name


Signature

37,317
Patent Reg. No.

October 26, 2004
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the document listed on the attached Form PTO 1449 and respectfully request that the listed document be considered by the Examiner and made of record in the above-captioned application. As referenced in our Supplemental Information Disclosure Statement dated October 13, 2004 Applicants enclose a copy of the document listed on the Form PTO-1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is a material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application

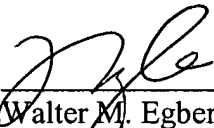
and applicants determine that the cited document do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

This Second Supplemental Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits of referenced application. Therefore, applicants do not believe that any fee is due in connection with the submission of this paper. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,
BAKER BOTTS L.L.P.

By:



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Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
A34106 - 066031.0148

Serial No.
09/809,291

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)**

Applicants
Sonnenschein et al.

Filing Date
March 15, 2001

Group Art Unit
3739

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENT

[illegible]

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

			“Physical Principles of Medical Ultrasonics,” Editor, C.R.Hill, Ellis Horwood Series in Applied Physics, John Wiley & Sons, NY 1986, pps.205-206, 327-329.

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.